Remarks/Arguments

Claims 1-26 remain pending in the present application. Claims 15-26 are allowed, and claims 3-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 1 and 2 stand rejected over cited art.

By the present Amendment, claim 3 has been rewritten as an independent claim incorporating the subject matter originally recited in claim 1. Claims 3-14, accordingly, should now be allowed. In addition, claims 1 and 2 have been amended to more clearly distinguish over the cited art and are also believed to be allowable in their present form. Reconsideration of the rejection of claims 1 and 2 is, accordingly, respectfully requested in view of the above amendments and the following comments.

I. 35 U.S.C. § 102, Anticipation

The Examiner has rejected claims 1-2 under 35 U.S.C. § 102(b) as being anticipated by Schaefer et al. (U.S. Patent No. 4,675,147).

In rejecting claims 1 and 2, the Examiner states as follows:

> Regarding claim 1, Schaefer et al (hereinafter Schaefer) disclose (Figs. 1, 2, 5 and 6) a graphical indicator for adjusting a value of a parameter to a target value comprising:
>
> target value indicia (Fig. 2, target 9A) that represents a target value of the parameter; and
>
> measured value indicia (actual value C) that represents a measured value of the parameter,
>
> wherein a change in a measured value C of the parameter relative to the target value (A) is represented by a first corresponding amount of movement of the measured value indicia (C) relative to the target value indicia (A) when the measured value (C) is within a first span of parameter values (when the measured value C moves toward the upper limit B), and a second corresponding amount of movement of the measured value indicia (C) relative to the target indicia (A) when the measured value is within a second span of parameter values (when the measured value C moves toward the lower limit 26), the second corresponding amount of movement being different than the first corresponding amount of movement. See column 14, lines 3-18.
>
> Regarding claim 2, it is inherent that, as shown in Fig. 2, the measured value (actual value C) can move closer to the target value (A) or below the target value (A), or closer to the lower limit value (26).

Office Action dated December 16, 2004, pages 2 and 3.

Claim 1 of the present application has been amended herein to incorporate subject matter originally recited in claim 2 and now reads as follows:

> 1. A graphical indicator for adjusting a value of a parameter to a target value comprising:
>
> target value indicia that represents a target value of the parameter; and
>
> measured value indicia that represents a measured value of the parameter,
>
> wherein a change in a measured value of said parameter relative to said target value is represented by a first corresponding amount of movement of the measured value indicia relative to the target value indicia when said measured value is within a first span of parameter values, and a second corresponding amount of movement of the measured value indicia relative to the target value indicia when said measured value is within a second span of parameter values, wherein said first span of parameter values is closer to said target value indicia than said second span of parameter values, and said first corresponding amount of movement is greater than said second corresponding amount of movement.

Schaefer does not disclose a graphical indicator in which a change in a measured value of a parameter relative to a target value is represented by a first corresponding amount of movement of a measured value indicia relative to a target value indicia when the measured value is within a first span of parameter values, and a second corresponding amount of movement of the measured value indicia relative to the target value indicia when the measured value is within a second span of parameter values, "wherein said first span of parameter values is closer to said target value indicia than said second span of parameter values and said first corresponding amount of movement is greater than said second corresponding amount of movement", and, accordingly, does not anticipate claim 1.

Schaefer is directed to a technique for generating a visual display of the safety status of a complex process plant. The technique is described in col. 8, lines 35-66 as follows:

> ...An example of such a display is illustrated in FIG. **1**. The spokes **1** through **8** radiating from the common origin **0** each represents the scale for one or more process parameters. The points **9** through **16**, which are all a fixed distance from the common origin **0**, represent the target or reference value for the associated parameter or parameters. By joining the points **9** through **16** by a dashed line **17** a regular polygon, in the example shown, an octagon, is formed. The actual value of each parameter is also plotted on the associated spoke. Positive deviations from the target value are shown at points further away from the common origin **0** than the reference values and negative deviations are plotted closer to the origin. Upper limits for each parameter are plotted at points **18** through **25** at a second fixed distance from the common origin **0** outside the reference values and lower limits are plotted at points **26** through **33** which are all at a third fixed distance from the origin which is inside the reference values. When all of the parameters are at their reference values, the actual value of each parameter is plotted at the first fixed distance from the common origin **0**

> and a regular polygon, which overlays the reference polygon, is formed by connecting the actual parameter values by a solid line **34**.
>
> Since the reference values and upper and lower limits are all plotted at fixed distances from the common origin **0**, the scale between the reference value and the upper limit on which positive deviations from the target value are plotted will, in most cases, be different from the scale between the reference value and the lower limit on which negative deviations are plotted.

In Schaefer, each spoke 1-8 radiating from origin 0 in Fig. 1, includes target value indicia (9-16), and spans of parameter values that extend above and below the target value indicia. One span of parameter values extends from an upper limit (18-25) on each spoke to the target value on that spoke, and the other span of parameter values extends from a lower limit (26-33) on each spoke to the target value on that spoke (spoke 1 together with the target value and the upper and lower limits on spoke 1 are shown in greater detail in Fig. 2). Thus, in Schaefer, the spans of parameter values on each spoke extend either from the upper limit to the target value for that spoke, or from the lower limit to the target value for that spoke. Both spans of parameter values extend precisely to the target value, and neither span of parameter values is closer to the target value than the other span of parameter values. Therefore, Schaefer does not disclose "wherein said first span of parameter values is closer to said target value indicia than said second span of parameter values" as now recited in claim 1.

Schaefer also does not disclose that "said first corresponding amount of movement is greater than said second corresponding amount of movement" as now recited in claim 1. Although, as indicated above, Schaefer may disclose that the scale between the target value and the upper and lower limits on each spoke may be different, nowhere does Schaefer disclose or suggest that the corresponding amount of movement in a first span of parameter values that is closer to a target value is greater than the corresponding amount of movement in a second span of parameter values. Claim 1, accordingly, is also not anticipated by Schaefer for this reason as well.

For at least all the above reasons, claim 1 is not anticipated by Schaefer and should be allowable thereover in its present form.

Claim 2 depends from claim 1 and has been amended to recite that "said target value indicia is located in the center of said first span of parameter values". As described above with respect to claim 1, Schaefer discloses measurement value spans that are on opposite sides of a target value and that extend to the target value, but does not disclose that a target

value is in the center of a span of measurement values. Claim 2, accordingly, should be allowable in its own right as well as by virtue of its dependency from claim 1.

Therefore, the rejection of claims 1-2 under 35 U.S.C. § 102(b) has been overcome.

II. Conclusion

For all the above reasons, Applicants believe the present application is patentable over Schaefer and is now in condition for allowance. It is, accordingly, respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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